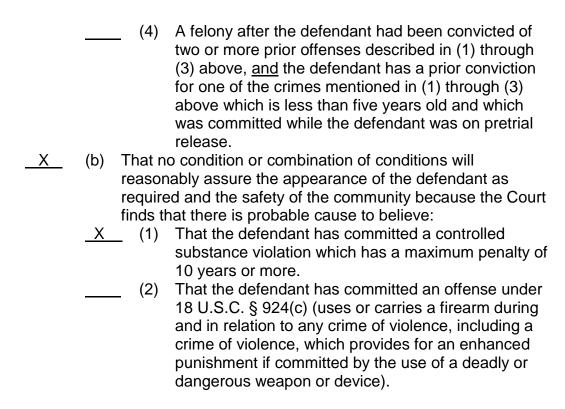
## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	
Plaintiff,	8:14MJ201
VS.	DETENTION ODDED DENDING TOTAL
FREDY AGUILAR-PORTILO,	DETENTION ORDER PENDING TRIAL
Defendant.	
A. Order For Detention  After conducting a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (I).	
B. Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds:  X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required.  X By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community.	
C. Finding Of Fact The Court's findings are based on the evidence which was presented in court and that which was contained in the Pretrial Services Report, and includes the following:  X (1) Nature and circumstances of the offense charged: X (a) The crime: Conspiracy, More than 500 Grams  Methamphetamine and More than 5 Kilograms Cocaine is a serious crime and carries a maximum penalty of Life imprisonment.  (b) The offense is a crime of violence.  X (c) The offense involves a narcotic drug.  (d) The offense involves a large amount of controlled substances, to wit:	
X (3) The history and characterism (a) General Factors: The defendan	against the defendant is high. tics of the defendant including: appears to have a mental condition ect whether the defendant will appear.

	The defendant has no family ties in the area.
	The defendant has no steady employment.
	The defendant has no substantial financial resources.
	The defendant is not a long time resident of the
	community.
	The defendant does not have any significant community
	ties.
	Past conduct of the defendant:
	The defendant has a history relating to drug abuse.
	The defendant has a history relating to alcohol abuse.
	The defendant has a significant prior criminal record.
	The defendant has a prior record of failure to appear at
	court proceedings.
(b)	
	Probation
	Parole
	Supervised Release
	Release pending trial, sentence, appeal or completion of
	sentence.
(c)	
	X The defendant is an illegal alien and is subject to
	deportation.
	The defendant is a legal alien and will be subject to
	deportation if convicted.
	X The Bureau of Immigration and Customs Enforcement
	(BICE) has placed a detainer with the U.S. Marshal. Other:
(4) The	
	e nature and seriousness of the danger posed by the defendant's
release an	e as follows:
<u>X</u> (5) <u>Rek</u>	outtable Presumptions
	ing that the defendant should be detained, the Court also relied on
	lowing rebuttable presumption(s) contained in 18 U.S.C. § 3142(e)
	the Court finds the defendant has not rebutted:
X	(a) That no condition or combination of conditions will
	reasonably assure the appearance of the defendant as
	required and the safety of any other person and the
	community because the Court finds that the crime involves:
	(1) A crime of violence; or
	(2) An offense for which the maximum penalty is life
	imprisonment or death; or
	X (3) A controlled substance violation which has a
	maximum penalty of 10 years or more; or



## D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 3<sup>rd</sup> day of September, 2014.

BY THE COURT:

s/ F.A. Gossett, III United States Magistrate Judge